

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND
THE GOVERNMENT OF THE KINGDOM OF DENMARK
TO STRENGTHEN COOPERATION ON THE PROTECTION AND MANAGEMENT OF
ENERGY RESOURCES

This Memorandum of Understanding (MOU) is signed by and between the Government of the United States of America and the Government of the Kingdom of Denmark (hereinafter jointly referred to as "Participants" and individually as "Participant").

Recognizing the common interests in the development of wind energy resources, including both onshore and offshore;

Considering the strategic role of renewable energy in addressing current global, national, regional, and local challenges; energy security; and economic development needs;

Recognizing the importance of finding cost effective and lasting methods to manage domestic energy resources that are compatible with the need for job creation and economic growth;

Wishing to promote mutually beneficial cooperation in the development and use of energy resources;

Taking into consideration prior instruments such as the "Memorandum of Understanding Between the Government of The Kingdom of Denmark and the Government of The United States of America to Strengthen Cooperation on Offshore Wind Energy," signed May 4, 2016 (2016 MOU);

Bearing in mind that this MOU is intended to provide a general framework for cooperation on the protection and management of energy resources,

The Participants have reached the following understandings:

Section 1 – Objective

The objective of this MOU is to promote a mutually beneficial relationship between the Participants regarding safe, efficient, economic, and environmentally responsible assessment, exploration, development, and production of energy resources and energy.

Section 2 – Priorities for Cooperation

The Participants intend that their current collaboration relating to the development of offshore wind energy should continue and that additional activities within the scope of Section 1 may be carried out as described below.

Cooperation may address issues related to assessment, exploration, industrial safety, environmental protection, development, and production of onshore or offshore energy resources, with a particular focus on wind energy, in the management of energy resources.

The activities of cooperation in the above mentioned areas may include:

- a. Promoting information sharing, best practices, and policy initiatives to support development and regulation of energy resources;
- b. Working to identify and discuss challenges associated with financing and risk management for energy facilities;
- c. Identifying opportunities for the sharing of best practices, regulatory approaches, and scientific models with regard to protection of the environment, including, but not limited to, the effects of energy facilities on wildlife and cultural resources;
- d. Exchanges of best practices related to consultation and engagement of local stakeholders in energy planning and development, such as the commercial and recreational fishing industry;
- e. Exchanges of information and procedures concerning lease/license assignment protocols and methods of financial assurance;
- f. Exchanges of information and best practices and approach to, and the content of, standard forms of contracts for exploration and production, guidelines for conducting the bidding and award processes related to energy exploration (e.g. the Danish one-stop-model for offshore wind development and production contracts), and guidelines for conducting oversight of such contracts;
- g. Exchanges of information on processes and procedures to review and approve plans for exploration and development of energy resources, including information required from operators, and monitoring and mitigation measures that may be included in plan approvals;
- h. Methods of evaluation of energy resources, including assessment of potential resources;
- i. Exchanges of information and best practices concerning fair market value determination of resources, permitting, collection, and public release of data, and other aspects of resource exploration and production, whether onshore or offshore;
- j. Exchanges of information and best practices on safety and environmental performance and requirements applicable to resource activity, whether onshore or offshore;

- k. Exchanges of information and best practices concerning protocols and requirements for compliance and enforcement; and
- l. Other energy-related topics that are mutually decided by both Participants.

Section 3 – Modalities for Cooperation

Cooperative mechanisms to accomplish the goals established by this MOU may include, but are not limited to, the following:

- a. Exchanges of information, documentation, and scientific and technical practices;
- b. Intergovernmental and international visits and exchanges involving policymakers, regulators, academic institutions, businesses, and technical staff;
- c. Joint organization of and participation in seminars, workshops, videoconferences, webinars and meetings to share information and practices;
- d. Cooperative research projects, joint studies, and joint training;
- e. Evaluation of effectiveness of activities; and
- f. Other modalities of cooperation taking into consideration the provisions of this MOU.

Each Participant intends to designate a senior official as “coordinator” to supervise and coordinate the planning, performance, evaluation, and approval of cooperative activities under the MOU. The Embassy of Denmark is intended to provide the coordinator for the contribution of Danish knowledge and experience related to this MOU, and will coordinate with regulators and officials in relevant Danish Ministries, agencies, and authorities. The U.S. Department of the Interior is intended to provide the coordinator for the contribution of U.S. knowledge and experience related to this MOU, and will coordinate with regulators and officials in relevant U.S. agencies and authorities.

Section 4 – Cooperation with Other Entities

The Participants may, consistent with their respective policies, request the support and participation of other entities, including other levels of government, nongovernmental organizations, the private sector, and scientific-academic institutions.

The Participants recognize the importance of their regular cooperation through multilateral and international forums and the need to coordinate the cooperation between themselves to ensure that all cooperation is mutually supportive and avoids duplication.

The Participants may explore opportunities for technical cooperation on energy-related matters under this MOU between themselves and non-participant countries selected by mutual decision. Such cooperation may include involvement in initiatives of relevant international organizations.

Section 5 – Costs

Each Participant intends to assume its own costs associated with the cooperative activities intended under this MOU, according to applicable national laws and available funding, unless the Participants determine otherwise in writing.

Section 6 – Release and Sharing of Reports, Documents, and Information

The Participants do not expect that activities under this MOU will result in the creation of intellectual property. However, if information of commercial value and/or intellectual property results from the cooperative activities under this MOU, the Participants intend to be guided by their applicable national laws and the relevant international agreements in the treatment of such information.

The Participants understand that cooperative activities under this MOU are considered by the Participants to facilitate the exchange of information only, and not to provide advice or consultancy.

The Participants understand that their respective national laws will govern the protection of all information that results from the cooperative activities of this MOU, including the disclosure of such information.

Section 7 – Entry of Personnel and Equipment

Each Participant intends to make arrangements through its competent authorities to facilitate the entry, stay, and departure of the personnel and/or equipment from the Participant needed for the completion of activities under this MOU, in accordance with applicable national legislation.

Section 8 – Legal Considerations and Relationship to Other Arrangements

Activities under this MOU are subject to the applicable laws, regulations, and policies of each Participant and to the availability of resources, and nothing in this MOU is intended to affect the Participants' rights and obligations under any international agreements.

This MOU represents an understanding between the Participants and is not legally binding.

Section 9 – Final Provisions

This MOU becomes operative from the date of its signature. This MOU remains in effect until 31 December 2019. After that period, it may continue to be in effect if jointly decided by the Participants.

At any time, a Participant may propose modifications to the MOU, which may be approved by mutual written consent.

FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA:



Ryan K. Zinke
Secretary of the Interior

Date: JUL 02 2018

FOR THE GOVERNMENT OF THE
KINGDOM OF DENMARK:



H.E. Lars Gert Lose
Ambassador to the United States

Date: July 26, 2018